

**UNITED STATE OF AMERICA**

**~~SIXTH JUDICIAL DISTRICT~~**

**~~CIRCUIT COURT~~**

**CHATTANOOGA, TN.**

*Court  
Eastern District Tenn*

**Myles Standish Brady, )  
Total Orthotic & Prosthetic )  
Systems Inc. & Thomas )  
E. Brady )**

**Plaintiff**

**v.**

**State of Tennessee**

U.S. DISTRICT COURT  
EASTERN DIST. TENN.  
BY \_\_\_\_\_ CLERK

2007 JUN 22 A 11:55

**FILED**

**Case No. 1:07-cv-145**

*Mattice/Carter*

**JURY TRIAL**

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**Complaint for Unconstitutional and Criminal act perpetrated by  
Officers of the Court, State and Citizens**

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Come Your Plaintiffs Through Thomas E. Brady to this Court to humbly express the following and pray for this court to protect us from Psychopaths by definition, who have already cause Hundreds of Millions of Dollars in damages and falsely imprisoned me personally by placing form over substance, who plan to do it once again on June 26<sup>th</sup>, 2007 and to request this court to fulfill it sole function and provide justice;

Because the State through Officers of the court filed 3 frivolous law Suits under 2 case #'s with contradictory arguments and refused to address this issue in the beginning and combine the cases all in Violation of Rule 1 of Tennessee Rules of Civil Procedure.

Because the States purpose is to provide protection to the people, and Attorneys swear an Oath to uphold the Constitutions and the law and the Constitution clearly states Equal protection under the Law, as well as Fair trials, the State is negligent in its sole function by refusing to stop the Injustices taking place within the Justice System, hence endangering the Citizens, the Populace in general and there interests.

1. This is evidenced by he fact that the that the Original players in this fiasco are not only still in control of the situation, still practicing Law, and still conducting themselves in a Criminal Manner but that they also still refuse to acknowledge the facts.
2. Because the State through Officers of the Court refuse to even look at the facts regardless of how many time the facts are presented, they are and have placed form over substance for almost 5 years.
3. Because the State has placed form over substance it has stated that it is above the Constitutions and the Law and entitled to better protection.
4. Because the State Through Officers of the Court have refused to acknowledge or look at, the facts it is negligent in its Duty to provide Justice because it unwilling to look at the Truth, The Whole Truth and Nothing But the Truth.
5. Because the State refuses to acknowledge the Truth The Whole Truth and Nothing but the Truth it has displayed a delusional State of reality by only seeing what Officers of the State want to see. In Other words the State has Placed Form over Substance
6. Because The State through its Delusional Approach of Placing Form over Substance, it is negligent and responsible for Financial damages in the Hundreds of Millions of Dollars and Falsely imprisoned myself.
7. The State through it's refusal to discuss the Issues with the Victim's has Violated Rule One of Tennessee's Rules of Civil Procedure by denying Justice, delaying Justice and making it more expensive.
8. Because the State continues to place Form over Substance by refusing to discuss or even acknowledge that this situation started with 3 frivolous suits under 2 case #'s with contradictory arguments, in violation of Rule One of Tennessee's Rules of Civil Procedure it in Negligent and responsible.
9. Because of the States negligence an Appeals Court is going to hear an Appeal without the evidence being presented because form is being placed over substance hence denying the Appeals court the Truth The Whole Truth and Nothing But the Truth. Causing further delays and Violations of Rule One of Tennessee's Rules of Civil Procedure.
10. Because of the States, pattern of behavior, Through Officers of the court, the record and the evidence, clearly States that Form is being placed over substance it has show that it is Psychotic, Sociopathic and Psychopathic.
11. Because the State Through Officers of the Court has refused to deal with Dozens of Issues placed before the Court, through Motions filed for the last 3 years, in Violation of rule One, it is negligent and responsible for Damages.
12. This Negligence has placed form over substance, hence denying the appeals court the ability to offer a fair trial or equal protection in the Appeal.

13. Because the Players have known for a long time that they have in fact lost yet continue to play there lawyer Games in Violation of Rule One the state is negligent and responsible for damages.
14. The State is Negligent due to its refusal to allow due process by reusing to admit or even acknowledge evidence.
15. The State is negligent by refusing to provide fare Trials and hearings by its refusal to acknowledge or admit evidence.
16. The State is negligent due to its refusal to provide equal protection due to its refusal to acknowledge or admit evidence showing a clear bias through its discrimination.

The following was filed almost a year ago and has been slightly modifications to address further wrong, which are in no way complete.

1. That we and I as an Individual are in grave danger and afraid of the State of Tennessee and its legal representatives.
2. That currently we are in grave distress due to the actions of State of Tennessee and its legal Representatives and I personally am in fear for the well being of My Child, a Corporation, its Employees, and Myself as an individual.
3. That we need protection from the State of Tennessee and its legal representatives.
4. That these things have been caused by the miss handling of two Cases, 1413 and 1447 in Circuit Court, in the 31<sup>st</sup> District, Warren County, of the State of Tennessee.
5. That we have been the victims of a criminal Conspiracy, perpetrated, by the Justice System for the purpose of individual financial gain.
6. That the perpetrators have defamed my character, caused immeasurable pain and suffering and incalculable monetary Damages and placed us in Grave Danger, through a pattern of fraud and abuse, which continues to this day.
7. That the perpetrators have and will continue to falsely imprison me as an individual based off the form created by this Conspiracy in direct conflict with the Substance of how the form was created.
8. That the following has been presented and all involved have been aware that this has been taking place and continues to take place and is verifiable based off the Court record as well as many other records.
9. That the original cases, 1413 and 1447, which are the root of the problem are in the Appeals court at this time.

10. That the following is based off a Statement presented to Council in Sept of 2005 and The Circuit Court in July of 2006 and in no way is complete in regards to our grievances or Damages, which we ask this Court to address.
11. That we believe, as we always have, the only option available to address these grievances is the Justice System and hope and pray that we can work with the Attorney Generals Office to arrive at a just and fair conclusion to this Problem, in a speedy and inexpensive manner

Mr. Kirkpatrick:

Over the last several weeks or so you have asked on many occasions what we want.

First and foremost, as I informed you in our first meeting, we are looking for an honest Attorney.

You stated the other day that you wouldn't do anything Immoral or unethical. At this point that was the equivalent to music to our ears and as I expressed we would expect nothing less.

We believe that we have operated with the highest of moral and ethical values and done everything in our power to comply with the Constitutions and the laws.

I personally have a problem with the statement made about the court being busy though. I feel the reason the court is busy is due to the conduct of people like Mr. Miller and his client. Though I do understand this statement. I personal believe that it would be an injustice for the court to deny our son, the Corporation and/or myself a fair hearing or Trial because it is busy. Might I suggest that if the court is that busy we combine the two cases and try all of this in one shot?

We believe that the appropriate path at this time is a negotiated settlement to these matters. We in no way wish to be dishonest in any way and therefore would request your guidance regarding this. Our intention has always been and will continue to be honest, tell the truth and do the right thing.

As I have informed every councilor including Mr. Miller. We believe that when all is said and done the simple fact of these cases are that I broke up with a girlfriend, we had a child together and the By-Laws were the By-Laws are the By-Laws. Everything past that has been nothing more than Fraud and Abuse. I personal believe that if the evidence was put before a jury that 51% they would agree. Which is why we have always wanted a trial by Jury. This is also the reason that a jury trial has been requested from the very beginning from every attorney that has been involved. I also personal believe that the reason the cases are in the shape there in is because there has been no oversight.

Every time we have tried to diffuse this situation it has been interpreted as a show of weakness. Even when we agreed to pay the extortion of \$112,500.00 to settle this, the other side then refused to comply with there contractual obligation hence the judge dissolving the Agreed Order and set the matter for trial. Now it would appear that once again the other side refuses to do the right thing and return the money, which doesn't belong to them.

Here's the problem as I see it. We are past the point of no return and are perched on the edge of a cliff. This in my opinion is crazy. So the question is, who's willing to jump? My personal response is, though I walk through the valley of death, I shall fear no evil. For I walk in the light of God and Jesus Christ is my guide.

Throughout this process we have done nothing more than react to the situation that has been forced upon us. We continue to try to follow the advice of an attorney, who I believe to be an honest man. What he said was that we needed to be careful because we were jeopardizing the livelihood of these people. What he recommended was to take care of this in house. I believe that we are at the last option in regards to this advice, unless you can advise otherwise.

**What we want:**

1. People to be honest, tell the truth and do the right thing.
2. The State to protect Myles my child and my family
3. The state to protect Corps., and there employees and its patients
4. The state to protect myself
5. Release the Corp., its representatives & myself of any liability
6. Return all stolen property and money's to there rightful owner and explain were it is if can't produce.
7. Replace almost 5 years of time stolen from Myles and myself.
8. Return all legal fees's paid (approximately)

Compensatory:	Corp. and Myself	\$ 70,000.00 approx
	Ms. Gugler	<u>\$ 70,000.00 approx</u>
		\$140,000.00
Punitive	X3	<u>\$420,000.00</u>
	sub-total	\$560,000.00

- a. This amount is 2 years old.

9. Return Stolen and Embezzled moneys (There is an additional \$2000.00+ missing)

Compensatory: Corp.	\$112,500.00
Punitive X3	<u>\$337,500.00</u>
Sub total	\$440,000.00

- a. This amount doesn't include current garnishment/Embezzlement.

10. Reimburse Damages caused By Ms. Gugler

Compensatory: Corp.	\$ 700,000.00+
Punitive X3	<u>\$2,100,000.00</u>
Sub total	\$2,800,000.00

- a. This amount 2-3 years old

11. Reimburse for destroying Corp. records and removing Corp. records

Original Files  
Corp. Computer records

Can't get a fair trial

12. Reimburse Corp. for My time (? Punitive)

Compensatory: Corp. 6/05-10/05	150hr @ \$150.00 per hr. \$22,500.00
1/03-1/04	48wks @ 30hrs a wk
1/04-10/05	<u>91wks @ 30hrs a wk</u>
	139wks @ 30 hrs per wk
	<u>4170 Hrs @ \$150.00 per hr</u>
	\$625,500.00

- a. This amount is 2-3 years old

13. Overpayments in Child support

Will need to be determined.

14. Loss to Corp. for having to replace Computer System

Compensatory: Corp.	\$50,000.00
Punitive	<u>\$150,000.00</u>
	\$200,000.00

15. Damages caused to Corp. due to my enslavement to the Justice System.

16. Reimbursement for personal expenditures

Will provide amounts

17. Reimburse for repairs and improvements to 130 E. King St. Morrison TN.

18. Refusal to comply with contractual obligation

- a. Ms. Gugler refuses to comply with obligations made regarding professional and person situations.
- b. The Justice System has refused to honor contractual obligations made through negotiations

19. Refusal to fulfill fiduciary duty to Corp. and clients.

- a. Ms. Gugler through her actions has endangered and damaged Total O & P Systems Inc.
- b. Refusing to maintain and keep accurate records of Board Meeting and court hearing.
- c. Refusing to provide copies of correspondence, orders, rulings and findings

20. Destroying Evidence

- a. By deleting Corp. records on a corp. Computer.
- b. By refusing to look at or consider documentation and Knowledge of acts, which have occurred.
- c. By the judge stating that Ms. Gugler's testimony is inconsistent or that she is committing perjury yet not upholding a motion for summary judgment and dismissing her frivolous law suits.
- d. By ignoring the fact that Ms Gugler was lying all-together.
- e. By refusing to accept that Ms. Gugler and her friends are destroying my name and reputation in the community

21. Removing Evidence

- a. By removing Corp. records from the corp. offices and denying access by the corp.
- b. Hence prejudicing the cases, which were filed.

22. Denying fair hearings and fair trials by.

- a. Refusing to allow witnesses to be heard and/or asking appropriate questions.
- b. Refusing to allow evidence to be presented.
- c. Refusing to consider the destruction and manipulation of evidence.
- d. Mr. Miller stating that we needed council so that "WE WOULD HAVE FRIENDS IN THE COURT"
- e. By refusing to comply with Constitutional Oaths to follow the Constitutions and the Law.

23. Denying our right to Due Process By

- a. Stalling, Manipulating, Coercing, and Lying to the Court and community.
- b. By refusing to address Child support.
- c. Refusing to acknowledge Federal Law
- d. Refusing to bring to trial
- e. Refusing to provide a Jury trial
- f. Refusing to address Motions before the court.
- g. Refusing to provide use with or constitutional rights
- h. Refusing to apply the law
- i. Refusing to present evidence
- j. Destroying evidence
- k. Utilizing my son as a weapon
- l. Utilizing the Corp. as a weapon
- m. Utilizing my property as a weapon
- n. Committing Conversion
- o. Committing Fraud
- p. Committing Abuse

24. Defamation by

- a. The filing of Cases 1413 and 1447
- b. Manipulating, Coercing, and Lying to the Court.
- c. Telling the community that Ms. Gugler and myself were married
- d. Telling the community that I am a drug addict
- e. Accusing a corp and myself. Of doing what they in fact have and are doing.
- f. By continuing to quote two reports irregardless of the fact that they are both inaccurate
- g. By continuing to quote two reports regardless of the fact that there existence is due to mal Practice.
- h. By bearing false witness or perjury in vase # 1413 & 1447
- i. By ordering frivilouse supervised visitation during child sharing because the Judge and attorneys are afraid of the facts



- j. By ordering supervised visitation during child sharing which in no way protects the Judge, attorneys or defendant.
- k. By ordering supervised visitation when the Facts show it wasn't needed and due to placing form over substance
- l. By ordering an Illegal sixth Phyc. Evaluation and telling the Dr. to diagnose me with the Defendants Condition of Boarder-line Personality disorder when the Diagnoses of the defendant has existed for over 5 years or once again placing and creating form over substance.

#### 25. Denying Equal Protection under the Law.

- a. By refusing to consider or modify counter complaints
- b. By defying Federal law in regards to Child support.
- c. By refusing to hold people accountable for violations of both federal and state law
- d. By refusing to comply with Constitutional Oaths to follow the Constitutions and the Law's
- e. Allowing the violation of rental law
- f. Allowing the violation of Criminal Code
- g. Allowing property to be removed, destroyed and given away
- h. By refusing to follow or acknowledge federal tax law

#### 26. Perjury by

- a. Lying to the court in legal documents, Briefs, transcript, during hearings, and Throughout the community.
- b. By filing 2 frivolous lawsuits with contradictory arguments.

#### 27. Conspiring to commit Fraud By

- a. Filing 2 frivolous Law Suit with contradictory arguments
- b. Stealing \$55,000.00 + of Corp. Funds for the purpose of conversion
- c. Refusing to return these funds despite repeated requests
- d. Refusing to dismiss Frivolous Suits irregardless of prejudice under rule 11
- e. Refusing to allow the other side of the Arguments to be heard
- f. Refusing to consider the truth so as to provide Justice
- g. Stalling, Manipulating, Coercing, and Lying to the Court and community.
- h. By refusing to address Child support.
- i. Refusing to acknowledge Federal Law
- j. Refusing to bring to trial
- k. Refusing to provide a Jury trial
- l. Refusing to address Motions before the court.
- m. Refusing to provide use with or constitutional rights
- n. Refusing to apply the law
- o. Refusing to present evidence

- p. Refusing to address or acknowledge that I was a renter
- q. Refusing to investigate Unconstitutional and Criminal activity
- r. Destroying evidence
- s. Hiding evidence
- t. Refusing to return evidence
- u. Utilizing my son as a weapon
- v. Utilizing the Corp. as a weapon
- w. Utilizing my property as a weapon
- x. The court and it's officers refusing to do there job
- y. The court and its officers refusing to comply with there Oath of office
- z. The court and its officers refusing to report Immoral, Unethical, Unconstitutional and Criminal activity to the proper Authorities
- aa. Committing Conversion
- bb. Committing Fraud
- cc. Committing Abuse
- dd. Failing to answer interrogatories honestly
- ee. Failing to request or provide documentation
- ff. By refusing to admit or accept that I as a farther have expenses past child support in my responsibility for my child.
- gg. By the court ordering case 1447 to trial by rule 60, as fraud, without giving me the opportunity to speak
- hh. Then the court reversing this order in latter hearing with no justification because the corp. wanted the converted and embezzled moneys and property returned.
- ii. By refusing to protect my son, the corporation and myself from the government and it legal, licensed representatives who are charged with protecting us.
- jj. By manipulating the figures statistically so as to increase the amount of Child Support I am required to pay
- kk. By refusing to reduce my child support irregardless of knowledge of the fact that I am over paying
- ll. By stating to me that the constitution doesn't apply
- mm. By informing me that we needed an Attorney so that we would have "friends in the Court."
- nn. By continually trying to bury the facts so as to not have to admit theses things took place.
- oo. By refusing to address motions and issues before the court.
- pp. Modifying a child-sharing plan to make me responsible for 100% of un-reimbursed med expenses when originally was responsible for ½.
- qq. By forcing me to take ½ day off every week so as to be able to be with my son.
- rr. Placing form over substance so as to hold me responcible for legal fee's.
- ss. For placing a wage garnishment on me to collect legal fee's.
- tt. By freezing my bank accounts so as to be able to steal the money for legal fee's.
- uu. By trying to bankrupt me so as to deny us due process.

All for the purpose of financial gain

28. Conspiring to Commit Abuse By

- a. By filing two Suits with contradictory arguments
- b. Practicing Psychological war-fair
- c. Utilizing my child as a weapon
- d. Utilizing a Corp. as a weapon
- e. Utilizing my property as a weapon
- f. Endanger my child
- g. Endangering a corp., its employees and its patrons
- h. Endangering myself
- i. Denying me the ability to protect my child, the corp. and my property
- j. Threatening to destroy every hope dream and aspiration that I have
- k. Subjecting my child, a corp. and myself to physical and psychological torment
- l. Manipulating use through coercion to not speak out against this activity
- m. Victimizing my child, a corp. and myself.
- n. Accusing The Corp. and myself of there own criminal activities
- o. Threatening to have me arrested for trying to fulfill a Court orders
- p. Denying me time with my son
- q. Denying me access to stolen property
- r. Refusing to return stolen property
- s. Refusing to return stolen Moneys and stating that this is because I may do what they have done.
- t. Refusing to address contempt of court
- u. Refusing to comply with court orders
- v. Refusing to consider the truth so as to provide Justice
- w. By accusing us of doing everything that they have in fact done
- x. By presenting ridiculous arguments and refusing to acknowledge that they are in fact ridicule or abuse
- y. By then Pointing out my Sarcasm or contempt as a meaningful argument
- z. By Stating and implying that sarcasm or contempt is not an appropriate response to ridicule or abuse.

29. Committing Conversion despite a counter complaint requesting damages for by

- a. Stealing corp. funds
- b. Stealing personal funds
- c. Stealing corp. property
- d. Stealing personal property

If the state has collected fines from any of the player in this action it is guilty of conversion because it hasn't returned the moneys to there rightfull owner.

30. Violating Rental Law by

- a. Refusing to address the fact that I was a renter.
- b. Holding property to extract money
- c. Refusing to allow access to property
- d. Refusing to return property
- e. Having the court commit conversion by ignoring the facts
- f. Removing property
- g. Damaging property

### 31. Embezzlement

- a. By stealing then controlling then converting well over \$55,000.00 of Corp. money and property
- b. By dismissing an agreed order due to fraud and setting case 1447 for trial Then reversing this decision when the corp. asked for the \$112,500.00 and property which was embezzled and converted to be returned per the constitution.
- c. By filing frivolous Law suit's and motions so as to produce billable hr
- d. By ignoring the evidence no matter how compelling so as to continue billing
- e. By repressing, hiding and destroying evidence
- f. By committing child abuse and abuse in general so as to prolong frivolous Law Suites for the purpose of billing
- g. By the court refusing to rule on Criminal and Unconstitutional acts so as to not have to admit responsibility
- h. By holding myself and a corp. to a higher burden of proof than is required so as to blackmail myself and the corp. into paying.
- i. By falsely accusing myself and a corp. of doing what they in fact are doing to this day to a corp and myself.
- j. By operating as an old boy network with all of there friends so as to derive personal gain
- k. By training my son to repress his feelings and thoughts so as to not have to deal with the fact that he doesn't want to be where he is so as to force me to have to pay Child Support.
- l. By ordering a garnishment due to Form over Substance

### 32. Blackmail

- a. By using my child as a weapon for the purpose of financial gain
- b. By holding my child against my will and threatening punishment if I don't pay
- c. By forcing me to pay legal costs associated with 1447 and 1413 or else be punished in violation of Tennessee Code 36-6-112
- d. By holding personal property against my will for the purpose of conversion
- e. For converting my personal property against my will
- f. For holding corp. property until we was forced to pay a settlement.

- g. For holding corp. funds against the corp. will them converting to theirs so as to force the corp. to settle.
- h. By refusing to utilize rule 11 and have the frivolous suit's filed dismissed.
- i. By the judge stating that Ms. Gugler's testimony was inconsistent and yet still allowing opposing council to continue the abuse by being allowed to throw 132 bags of crap against the wall to see what might stick
  - 1. None of them stuck per council and judge Turnbull yet they forced the settlement and payment or conversion of further funds.
- j. By threatening to punish me if I filed this suit.

### 33. Extortion

- a. By continuing to force me to produce more evidence regardless of the 9 years of evidence already in existence.
- b. By forcing me to prove beyond a reasonable doubt in a Civil Case
- c. By threatening to punish me if I do not comply with there ridiculous Orders
- d. By Lying, cheating, embezzling, extorting, manipulating, coercing so as to derive the outcome they want.
- e. By refusing to accept that they are Lying cheating embezzling extorting manipulating coercing so as to not have to deal with the facts of case 1413 and 1447

### 34. Slavery

- a. By filing the frivolous Law Suits with contradictory arguments to begin with and refusing to combine, hence enslaving me to the Justice System.
- b. By continuing to push the Law Suit's irregardless of everyone knowing that they are and were frivolous and doing nothing about it So as to force the corp. and myself to have to continue to work to pay the Blackmail, extortion and Embezzlement.
- c. See above and below

This continues to this day

### 35. Damaging past, present and future earnings of Corps. and Myself

- a. By monopolization my time.
- b. By forcing me to have to concentrate on writing the wrongs instead of acknowledging and accepting the facts, and admitting wrong have occurred.

### 36. Endangering Myles, The Corp. and Myself By

- a. Allowing Fraud and Abuse to Acura
- b. Allowing Embezzlement
- c. Allowing Blackmail

- d. Allowing Extortion
- e. Allowing Slavery
- f. Refusing to apply the Constitution
- g. Refusing to apply the Law
- h. Allowing personal and confidential information to be made part of public records

37. Invasion of Privacy by

- a. Repeatedly requesting personal and confidential information
- b. Forcing me to produce photos of my child and property

38. Filing False Charges

- a. Filing frivolous lawsuits against a corp.
- b. Filing frivolous lawsuit against Me personally
- c. Threatening me with arrest

39. Penalizing the Corp. and Myself for following the Constitutions and the Law by

- a. Refusing to follow federal Law regarding Child Support
- b. Placing The Corp. in the position of not being allowed to apply corp. law
- c. Refusing to follow corp. law
- d. Refusing to follow contract Law
- e. Refusing to apply Criminal code
- f. Refusing to apply the Constitutions
- g. Denying access to Child Support Formulas

40. Disregarding Federal Law by

- a. Conspiring to commit Fraud
- b. Conspiring to commit Abuse
- c. Enslaving the Corp. and Myself to the Justice System
- d. Denying fair Trials and hearings
- e. Refusing to consider standard accounting practices
- f. Refusing to apply IRS code
- g.

41. Accusing The Corp. and myself of there own criminal activities

42. Violating section 8 of the Constitution of the State of Tennessee

43. Violations of Oath of office

44. Violating the Law

45. Violating our right to a trial by jury
46. For refusing to look at or even acknowledge the evidence hence not only facilitating but committing Child abuse and neglect.
47. For committing Malpractice by refusing to apply the Constitutions and the laws and acting with complete abandon Morally and Ethically hence denying a corp. and myself equal protection under the law.
48. Committing rape by refusing to acknowledge and accept that my son the corp. and myself have been telling them for over 3 years yet continuing to force there will upon us.
49. Committing abuse by lying, cheating, stealing, embezzling, extorting, manipulating, coercing, kidnapping, and generally bullying us into doing things, which we do not want to do.
45. Committing abuse by using my son, the corp. property and money, and my own personal property and moneys as weapons to force us to do what we don't want to do in violation of the constitutions and the law.
51. I would like my son protected from these people. Nothing made me happier than when you stated the other day that you would go for him to be with me and only restricted with his mother. But once again that hasn't been an option and I have had no say in this matter.
52. We would like to be compensated for the damages that have been caused.
53. We also believe that there is a major conflict of interest going on with the fact that the people that are involved are no longer defending anyone other than themselves.
54. For refusing to remove one self regardless of the fact and knowledge that they were personally involved.
- a. The judge telling me that the Constitution didn't apply
  - b. Mr. Miller lying to me
  - c. Judge Turnbull refusing to follow through when told the constitution and the law was being violated
  - d. Mr. Miller telling me that we needed council so as to have friends in the court
  - e. Cheating in court and denying a fair hearing /Trial.
  - f. By applying the rules differently
  - g. By ignoring the rules
  - h. By refusing to accept or acknowledge the facts for the purpose of committing fraud
55. For operating a criminal conspiracy through the systematic implementation of abuse for personal gain

56. For inventing bogus Orders so as to in-flick further financial damage after the fact and pre dating it to appear like it was in existence before hand.
57. By utilizing rule 58 of The Tennessee Rules of Civil Procedure to deny justice by destroying Charges before the court, causing unspecified damages.
58. For denying a fair trial by refusing to enter evidence into the record.
59. For denying a fair Appeal by refusing to enter evidence into the record.
60. For council and the Judge refusing to remove them selves when there was a clear conflict of interest
61. Council and the Judge utilizing the Justice System for the purpose of carrying out a Vendetta.
62. For the Court and its officers aiding and abetting a Felon in the commission of her Crimes.
63. For court officers using the rule of law to deny Justice and hide Criminal activity under Rule 58 of Tennessee Rules of Civil Procedure.
64. For the court awarding legal fee's when the court knew that prior council was discredited.
65. For sequestered witnesses who have informed me that she was friends with the judge mailing a letter with derogatory statements about me in an attempt to defame my character directly to the judge in the middle of a trial.
66. For aiding and abetting a Felon in The commission of her crimes.
67. For converting Corp. and Personal person property to others
68. For converting moneys to others
69. For lost wages due to the continuation of the criminal activity

What we would like once again is for people to be Honest, Tell the Truth and to do the right thing. I personal stand with Judge Ross in regards to these matters when he said people should be responsible.

We would like people to follow the Constitutions, the Laws and do this morally and ethically.

We would like council to operate morally and ethically and in the best interest of there clients instead of there own. We believe that is what caused the problem to begin with.



As I and we have agreed throughout this process. The basic facts are that I broke up with a girl friend, we had a child together and the by-laws were the by-laws are the by-laws. It is my personal experience having lived through the Fraud and Abuse of the last almost three years that they are unable to stand on a level playing field and so instead have to cheat. Which really is nothing more than what you said about trial by ambush.

We would further request that you keep us honest, that you inform us of all activities and that you prosecute these matters to the full extent of the law.

We would apologize to the Court for the fact that we are not Attorneys and would reserve the right to revise and extend this complaint as needed.

#### THERE FORE WE WOULD ASK:

2. First and for most that the State of Tennessee protect us from Criminals operating within our Justice System in Warren County in what could only be called a Criminal Conspiracy.
3. That your Honor Case 1413 and 1447 currently in Circuit Court, in the 31<sup>st</sup> District of the State of Tennessee within this Suit and Jurisdiction so as to protect us from the criminal activity.
4. The Court freeze any and all activity pertaining to these case until the Attorney Generals Office and myself have a chance to discuss these matters so as to determine a proper coarse of action and return to inform of our position.
5. The court order a complete and thorough investigation into the conduct of all associated with this these matters to date.
6. That the court award damages of an undisclosed amount for the Pain and suffering as well as Monetary Damages, which have been inflicted including legal fees for my time and expenses.
7. We would further request that This Court Order the State to do its job so as to not hold the good people of the state of Tennessee responsible for these Criminal acts but instead hold those responsible as follows.
  - a. Ms. Kimberley K. Gugler, Defendant case 1413 and Plaintiff Case 1447
  - b. Mr. Clifton Miller Council for the Defense case 1413 and 1447
  - c. Ms. Felicia Walkup Prior Council for Defense case 1413

- d. Mr. John Labar Prior council for Defense case 1447
- e. Law Firm of Henry, McCord, Bean Miller, Gabriel, Carter & LaBAR.  
Cases 1413 and 1447
- f. Bernard Smith 1<sup>st</sup> Council for Plaintiff case 1413
- g. Mr Hilton Conger prior Council for Plaintiff case 1413
- h. Mr. Mike Corley Prior Council for Defense case 1447
- i. Mr. Tracy Wooden, Prior council for Defense case 1447
- j. Mr Greg Glass, Prior council for Defense, case 1447
- k. Mr. David Fulton Prior Council for Plaintiff Case 1413
- l. The Law Firm of Wooden, Fulton and Scarborough case 1413 & 1447
- m. Ms. Mary Little Prior Council for Plaintiff Case 1413 and Defense  
Case 1447
- n. The Law Office of Ms. Mary Little
- o. Mr. Harrison Kirkpatrick Prior Council for Plaintiff Case 1413 and  
Defense Case 1447
- p. District Attorney Dale Potter, 31<sup>st</sup> district of the State of Tennessee
- q. Ms. Melba Mooneyham, of the Dept. of Children's Services
- r. Judge Turnbull
- s. The Honorable Judge Bart Stanley
- t. Ms. Tammy Young
- u. Tammie's Little Tykes
- v. Any other individual or entity, which was and may have been  
connected to this Criminal conspiracy.

RESPECTFULLY SUBMITTED:

Thomas E. Brady  
611 Boyd Ave.  
McMinnville, TN. 37110  
931-507-3731

BY: \_\_\_\_\_

Plaintiff

### Certificate of Service

I, Thomas E. Brady, hereby certify that a true and correct copy of the foregoing Motion has been served on The Attorney General of the State of TN, PO Box 20207 Nashville, Tennessee 37202-0207 by placing a true and exact copy of the same in the United States mail with sufficient postage thereon to carry the same to its destination.

This the 22nd Day of June, 2007

By: \_\_\_\_\_

Thomas E. Brady  
Plaintiff